HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.4586 of 2007

Dated:08.03.2007

Between:

Abdul Azeez Khan.

…Petitioner.

and

The Principal Secretary, GAD, Government of Andhra Pradesh and others.

…Respondents.

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ORDER:

The petitioner submitted his nomination, for being elected as a Member of the Legislative Council of State of Andhra Pradesh, from Mahaboobnagar/Ranga Reddy/Hyderabad Graduates' Constituency. His nomination was found to be in order. The 2nd respondent published a list of valid nominations in Form No.7B. In that, the name of the petitioner was shown at serial No.7, in the independent candidates. According to the petitioner, his name is to be shown at serial No.5, if the alphabetical order is followed. He seeks appropriate directions in this regard.

Heard the learned counsel for the petitioner and the learned Government Pleader for General Administration Department.

The preparation of list of contesting candidates and the ballot papers is governed by Rule 30 of the Conduct of Election Rules, 1961. The Election Commission is conferred with the power to issue directions as to the manner as well as language in which the list is to

be prepared. If the list is to be prepared and the ballot paper is to be printed in English, there is some possibility to accept the contention of the petitioner. On the other hand, if it is to be published in Telugu, the present list appears to be valid. The petitioner has already submitted a representation in this regard. It is not known as to whether the Election Commission has issued directions for preparation of ballot papers in English or Telugu. This Court cannot undertake any enquiry, or probe into the matter, at this stage.

The Writ Petition is disposed of, directing the 2nd respondent to take the representation, dated 02.03.2007, submitted by the petitioner, into account and print the ballot paper, strictly in accordance with the directions issued by the Election Commission. There shall be no order as to costs.

Dt.08.03.2007 **L.NARASIMHA REDDY, J**

Note:Furnish C.C. in two days.
(B/o)
GJ